

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 02B46T2-6/45	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/14459	International filing date (day/month/year) 18.12.2003	Priority date (day/month/year) 18.12.2002
International Patent Classification (IPC) or both national classification and IPC B64G4/00		
Applicant INTERSECURE LOGIC LIMITED ET AL		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or have been made before this Authority (see Rule 70.16 and Section 1007 of the Administrative instructions under the PCT).
 These annexes consist of a total of sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ~~VI ☐ Certain documents cited~~
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 12.07.2004	Date of completion of this report 23.02.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Calvo De No, R Telephone No. +31 70 340-3113 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/EP 03/14459**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*

Description, Pages

1-46 as originally filed

Claims, Numbers

1-8 as originally filed

Drawings, Sheets

1/10-10/10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.

- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-8
	No: Claims	
Inventive step (IS)	Yes: Claims	5-7
	No: Claims	1-4,8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:
D2: US-A-3 268 091 (MELTON DONALD F) 23 August 1966 (1966-08-23)
D3: US-A-3 144 215 (KLEIN GEORGE J) 11 August 1964 (1964-08-11)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-4 and 8 does not involve an inventive step in the sense of Article 33(3) PCT.

- 2.1 The document D2 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

An actuator arm (see col. 3, lines 8-13), comprising an action element (manipulator 12) which is connected to a base unit by a number of elongate flexible connecting means (16,18,20).

- 2.2 The subject-matter of claim 1 therefore differs from this known actuator arm in that the elongate flexible connecting means are more specifically described as tapes.

- 2.3 The problem to be solved by the present invention may therefore be regarded as providing an alternative to the cables which are proposed in D2 as a specific embodiment of those elongate flexible connecting means.

- 2.4 The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons.

- 2.5 Tapes are merely one of several straightforward possibilities among elongate flexible connecting means from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed. Such tapes are known in the art (see D3, for instance), and they appear to offer no surprising advantage over the prior art as disclosed in D2.

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- 2.6 It must also be noted that the subject-matter of claim 1 in its current form is not entirely clear in whether the actuator arm also comprises the base unit and connection tapes. Also, it is not clear whether by a number of connection tapes a plurality is meant.
- 2.6 Dependent claims 2-4 and 8 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, see document D2 and the corresponding passages cited in the search report.
3. The combination of the features of dependent claims 5, 6 or 7 is neither known from, nor rendered obvious by, the available prior art. The reasons are as follows:
- 3.1 Momentum wheels have not been previously suggested in the art for the purpose of manoeuvring an actuator arm. It would therefore not have been obvious for the skilled person to apply this feature to the actuator arm of D2.
- 3.2 Neither a laser source attached to a base unit nor a light reflector have been previously suggested in the art for the purpose of locating an actuator arm. It would therefore not have been obvious for the skilled person to apply this feature to the actuator arm of D2.
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